

SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS

FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN DOCKET NO. AB 1073X

August 30, 2011

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

(X) Notice of Exemption () Petition for Exemption () Regulated Abandonment

() **NO NEW COMMENTS WERE RECEIVED**

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OEA served an Environmental Assessment (EA) for this proceeding on August 12, 2011 for public review and comment. In the EA, OEA recommended one environmental condition and concluded that the proposed action would not significantly impact the quality of the human environment.

Comments on the EA

OEA received one comment after issuance of the EA. OEA received a letter from the U.S. Fish and Wildlife Service (USFWS) and a response to USFWS' letter from A&F. USFWS indicated that the rail line proposed for abandonment crosses the Pea River, which is designated as Critical Habitat for the threatened Gulf Sturgeon at this location. USFWS stated that if A&F plans to remove the bridge, then A&F would need to consult further with USFWS to determine whether formal consultation under Section 7 of the Endangered Species Act of 1973 is needed because bridge removal could impact the Gulf Sturgeon or its habitat. USFWS further stated that if the bridge is to be left in place, then further consultation would not be necessary. A&F responded by letter stating that A&F does not intend to dismantle or remove any bridge along the rail line, including the Pea River bridge. Accordingly, no mitigation regarding the bridge is recommended.

Modifications to the EA

Upon further independent review, OEA believes that the condition in the EA should be modified. The language "and the public" should be added to the end of the second sentence in the Section 106 condition recommended in the EA.

Conclusions

The EA comment period has ended. Accordingly, OEA recommends that the condition recommended in the EA, as modified by the recommendation in this document, should be imposed upon any decision granting abandonment authority. The condition is:

1. Alabama & Florida Railway Co., Inc. (A&F) shall retain its interest in and take no steps to alter the historic integrity of all sites, buildings, and structures within the project right-of-way that are eligible for listing or listed in the National Register of Historic Places (generally, 50 years old or older) until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. § 470f, has been completed. A&F shall report back to the Office of Environmental Analysis regarding any consultations with the SHPO, any other Section 106 consulting parties and the public. A&F may not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until the Section 106 process has been completed, and the Board has removed this condition.

If the above condition is imposed, OEA believes that the proposed action will not significantly affect the quality of the human environment.

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